

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD

April 25-29, 2005

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
4-25	EX	76438403	Ciba Specialty Chemical Corp.	Hohein Chapman* Holtzman	whether applicant's specimens show use of the mark as it appears on the drawing	Refusal Reversed		"RECYCLOSSORB" [chemicals, namely, light stabilizers for use in the manufacture of outdoor articles, namely, plastic, lumber, crates, drums, and the like]		G. Clark	No
4-26	EX	76485778	TM Bioscience Corp.	Hairston Walters Bucher*	2(d)	Refusal Affirmed in both classes		"TAG-IT" <i>[in Class 1:</i> diagnostic preparations for research use, namely, mutation detection kits composed of reagents and protocols used in the determination of particular genotypes in samples of nucleic acid; <i>in Class 5:</i> diagnostic preparations for clinical use, namely, mutation detection kits composed of reagents and protocols used in the determination of particular genotypes in samples of nucleic acid]	"TAGIT" [N-hydroxysuccinimidyl 3- (4-hydroxyphenyl) propionate]	Estrada	No

(1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (MR)=Motion to Reopen; (R)=Request for Reconsideration

(2) *=Opinion Writer; (D)=Dissenting Panel Member; (PO)=Motion for Protective Order

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4-26	OPP (PO)	91125458	Pioneer Kabushiki Kaisha v. Hitachi High Technologies America, Inc.	Seeherman Quinn Bucher [Opinion "By the Board" (Dunn)]	whether certain of applicant's principals must be made available for discovery depositions; whether opposer must submit supplemental responses to applicant's document requests	Applicant's motion for protective order granted in part and denied in part; Applicant's motion to compel granted	"ELITE" [audio and video goods]	"SUPERSCAN ELITE" [audio and video goods]			Yes
4-29	EX	76362314	Growth Strategies, Inc.	Hairston Walters* Bucher	2(e)(1)	Refusal Affirmed		"HUMAN CAPITAL CAPABILITY SCORECARD" [business management consultation services]		Boagni	No
4-29	OPP	91157402	International Flora Technologies, Ltd. v. Desert Whale Jojoba Co., Inc.	Quinn Walters Rogers*	2(d) [whether opposer properly introduced evidence in support of its opposition]	Opposition Dismissed	"METASOMES," "FLORASOMES," "JOJOBEBADS," and "JOJOBUTTER" [all marks for additives used in the manufacture of cosmetics]	"JOJOBASOMES" [skin soaps, essential oils for personal use, cosmetics, and hair lotions]			No

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